REMARKS

Claims 1-33 currently remain in the application. Claims 34-37 have been added. The applicant respectfully thanks the Examiner and his primary for the time spent during the personal interview on March 16, 2004. During the interview, the prior art references of Vuong and Olson were discussed.

The applicant believes claims as amended add know new matter. Many examples are provided in the specification of game software application data. For instance, reconfiguration commands are one example of game software application data for use by game software executing on a gaming machine.

The Applicant respectfully traverses Examiner's statement that it is well known to alter game jurisdiction information based upon location information with a wagering game due to a wide variety of federal, state and local governments that try to enforce their respective gambling laws over the remote network systems. Applicant respectfully asks the Examiner to provide a reference that teaches this assertion. Applicant is not aware of a reference that teaches enforcement of gambling laws over remote network systems. In the previous office action, it was not clear to the applicant that Examiner was taking Official Notice. The MPEP notes that if Official Notice is taken by the Examiner that applicant should respond in the next office action. The Examiner did not take "Official Notice." Many examiners use the language cited by Examiner without taking Official Notice, hence Applicant's confusion. Further, the case (*In re Chevrand*) cited by the Examiner has no mention of when a traverse to Examiner's assertion should take place during prosecution. The case only provides that the traverse should be made in the course of prosecution.

Rejections under 35 U.S.C. § 103(a)

The examiner rejected claims 1-9, 11-23 and 25-32 under 35 U.S.C. § 103(a) as being unpatentable over Vuong et al., U.S Patent 5,762, 552 in view of Olsen. The applicant respectfully traverses this rejection.

The present invention, as recited in claim 1 for instance, describes "the gaming machine is capable of providing one or more game services, including downloading game software application data for use by game software executing on another gaming machine and downloading game software for execution on another gaming machine receiving the downloaded game software, to the plurality of gaming machines within the network of gaming machines and wherein the gaming machine is capable of downloading a first game software for playing a first game to a second gaming machine in the network of gaming machines wherein the second

gaming machine executes the first game software to generate the first game on the second gaming machine and wherein the first game played on the second gaming machine comprises: receiving a first wager on a first game outcome for the first game, generating the first game outcome of the first game on the second gaming machine and displaying the first game outcome." Vuong teaches sending information regarding an outcome of game from a game server to a gaming machine but not sending game software. Olsen teaches in a multi-player gaming environment one or more computers sharing information that allows a common state to be maintained. In Olsen, as was described in the personal interview of March 16, the computers do not share gaming software but data used by gaming software already executing on each of the computers. Therefore, the combination of Vuong and Olsen can't be said teach or suggest downloading game software from a first gaming machine to a second gaming machine for execution by the gaming machine as recited in claims 1-28 and 33-37 because neither reference teaches downloading game software.

In regards, to claims 29-32, Vuong and Olsen do not teach, as described in claim 29, "downloading the game configuration information to a second gaming machine from first gaming machine wherein the second gaming machine is capable of configuring one or more of the hardware or game software for generating a first game played on the second gaming machine using the downloaded game configuration information wherein the game configuration information includes game play limits for the first game." The game play limits are described in claim 31 as one or more of a hopper limit, a credit limit, a jackpot limit, a progressive limit and combinations thereof. Downloading of this type of game play limits from a first gaming machine to a second gaming machine is not described in the prior art references cited by the Examiner.

Therefore, for at least the reasons described above, the combination of Vuong and Olsen can't be said to anticipate or render obvious the invention as recited in claims 1-9, 11-23 and 25-32 and the rejection is believed overcome thereby.

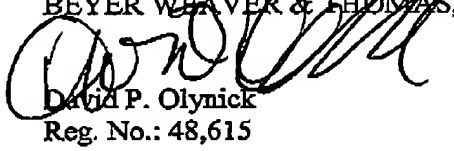
The examiner rejected claims 10, 14 and 24 under 35 U.S.C. § 103(a), as being unpatentable over Vuong, et al., in view of Olsen and in further View of Weiss (U.S. Patent no. 5, 611, 730). The rejection is respectfully traversed.

Weiss does not describe game downloading. The combination of Vuong and Olsen as described above with respect to claims 1-9, 11-23 and 25-32 does not teach or suggest game downloading in the manner described for these claims. Thus, the combination of Vuong, Olsen and Weiss do not teach or suggest game downloading as described in claims 10, 14 and 24. Therefore, for at least these reasons, the combination of Vuong and Weiss can't be said to render obvious claims 10, 14 and 24 and the rejection is believed overcome thereby.

Examiner states it is notoriously well known in arts that slot machines have bonus features, such as bonus games and progressive jackpots, to attract players. Applicant admits that these features are known in gaming. However, the present invention describes a first gaming machine that provides bonus and progressive game services to a plurality of other gaming machines (see claims 23 and 24). Usually in gaming, these services are provided by a separate controller in communication with a plurality of gaming machines and not by one of the gaming machines. The Examiner has not provided a teaching in the prior art references or from the common knowledge in the art that suggests using a gaming machine in the manner described by the present invention in claim 24. Applicant therefore believes the combination of Vuong, Olsen and Weiss can't be said to render obvious claim 24.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



David P. Olynick
Reg. No.: 48,615

P.O. Box 778
Berkeley, CA 94704-0778
510-843-6200